

**UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND  
NORTHERN DIVISION**

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**UNITED STATES SECURITIES  
AND EXCHANGE COMMISSION**

**Plaintiff,**

**v.**

**WILLIAM F. MAHON, ET. AL.**

**Defendants.**

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: CIVIL ACTION  
: FILE NO. S 00 CV 2918  
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: Judge William D. Quarles  
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**CONSENT MOTION TO EXTEND DISCOVERY AND MOTIONS DEADLINES**

Plaintiff, United States Securities and Exchange Commission (SEC), through its counsel and pursuant to Fed. R. Civ. P. 7(b) and with the consent of Defendant Dean J. Jupiter respectfully moves the Court to extend by 30 days the discovery and motions deadlines contained in the current scheduling. In support of this motion, the SEC states the following:

1. On January 7, 2004, this Court entered a Scheduling Order providing for completion of discovery by April 30, 2004 and a motions deadline of May 31, 2004.
2. On February 12, 2004, the SEC issued a subpoena to Jupiter's accountant, Larry Legal, to produce documents to the SEC by February 27, 2004 and to appear for deposition on March 18, 2004. On February 13, 2004, Legal was personally served with the subpoena.
3. Legal did not produce the documents responsive to the SEC's subpoena by the February 27, 2004 deadline. Soon thereafter, Legal retained counsel. On March 18, 2004, Jupiter petitioned the court to quash the subpoena issued for Legal's documents (which was denied on April 15, 2004). The parties and Legal agreed that Legal would produce all

documents responsive to the subpoena to Jupiter's counsel by March 19, 2004 for a privilege review. Nonetheless, despite diligent efforts by both the SEC and Jupiter's counsel, Legal failed to produce the documents to Jupiter's counsel for a privilege review until April 21<sup>st</sup>. Jupiter's counsel produced the non-privileged documents to the SEC on April 23<sup>rd</sup>. Legal's deposition currently is scheduled for May 5<sup>th</sup>, the first date available for all counsel and Legal to appear.

4. Undersigned counsel has requested and received Jupiter's consent to the relief requested in this motion.

WHEREFORE, for the foregoing reasons, the SEC requests that the Court grant its Motion.

Respectfully submitted,  
For Plaintiff Securities and Exchange Commission

A handwritten signature in black ink, appearing to read 'Carolann Gemski', with a stylized flourish at the end.

Carolann Gemski (DC Bar #438561)  
One of the Attorneys for Plaintiff  
U. S. Securities and Exchange Commission  
175 W. Jackson Blvd., Suite 900  
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(312) 353-7390

**CERTIFICATE OF SERVICE**

I, Carolann Gemski, hereby certify that on April 26, 2004, a copy of the foregoing Motion was filed electronically. Notice of this filing will be sent electronically to Allan M. Lerner, counsel for Defendant Dean J. Jupiter by operation of the Court's electronic filing system. Parties and interested persons may access this filing through the Court's system.

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ORDER GRANTING SEC'S CONSENT MOTION TO EXTEND DISCOVERY AND  
MOTIONS DEADLINES

UPON CONSIDERATION of the SEC's *Motion To Extend Discovery and Motions  
Deadlines* and Jupiter's consent thereto, it is this \_\_\_\_\_ day of April, 2004 by the United  
States District Court for the District of Maryland, hereby:

ORDERED, that the SEC's Motion be and hereby is GRANTED; and it is further,

ORDERED, that discovery shall remain open until May 31, 2004 and Motions shall be  
due by June 30, 2004.

SO ORDERED.

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Judge, United States District Court  
for the District of Maryland